



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 6, 2021

The Honorable Shana Young
Interim Superintendent
Office of the State Superintendent of Education
810 1st Street NE, Ninth Floor
Washington, DC 20002

Dear Interim Superintendent Young:

I am writing in response to the Office of the State Superintendent of Education's (OSSE's) request on April 6, 2021, to the U.S. Department of Education (Department) to waive the requirements in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA) to administer statewide assessments to all public elementary and secondary school students in the State in reading/language arts, mathematics, and science for the 2020-2021 school year. OSSE requested this waiver due to the significant impact the COVID-19 national pandemic has had in the District of Columbia. OSSE will administer its English language proficiency (ELP) assessments.

The Department remains committed to supporting all States in assessing the learning of all students. Obtaining data on student learning includes high-quality statewide assessments, which can help identify where opportunity gaps are persistent and have been exacerbated – particularly during the pandemic – and, along with other data, can help States direct resources and support to close those gaps. At the same time, we must also recognize that we are in the midst of a pandemic that requires real flexibility.

In your request, you describe how the impact of the pandemic prevents OSSE from being able to safely administer your statewide summative assessments this spring using standard practices. In particular, OSSE noted that the vast majority of students in the District of Columbia (88 percent) are receiving full-time distance learning as of March 20, 2021, and most students receiving hybrid instruction are in school for only one day per week. As a result, very few students would be able to be assessed in person this spring. This would also likely result in OSSE not being able to report much, if any, data due to OSSE's minimum subgroup size for reporting and the need to protect personally identifiable information.

After carefully considering the specific circumstances described in OSSE's request, I approve, pursuant to my authority under section 8401(b) of the ESEA, a waiver of the requirements in section 1111(b)(2) of the ESEA for the 2020-2021 school year to administer statewide general and alternate assessments in reading/language arts, mathematics, and science. In addition, I am approving a waiver of sections 1111(h)(1)(C)(ii), (vii), and (xi) of the ESEA regarding the reporting of student results on the general and alternate assessments in reading/language arts, mathematics, and science (and the related requirements in section 1111(h)(2)(C) for the local report cards).

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

In cases where students are unable to take the statewide summative assessment, we hope that SEAs and school districts use other assessments to measure student learning and progress and to provide information to parents and educators, as it appears OSSE is planning to do. These data do not replace statewide summative assessments, but they can serve to provide valuable information to meet our goal of maximizing the number of students for whom we have quality data this year.

The Department is eager to work with OSSE to accelerate the safe return to in-person instruction for students in the District of Columbia. Please note that the Department will follow up with your office promptly to schedule a meeting with you and leaders from your LEAs to discuss these issues and how we can best provide support.

As always, you can contact me or my staff at ESEA.Assessment@ed.gov.

Sincerely,

/s/

Ian Rosenblum
Deputy Assistant Secretary for Policy and
Programs
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

cc: Danielle Branson, Director of Assessment